

Marcus McCutcheon, Bar No. 281444
mmccutcheon@bakerlaw.com
BAKER & HOSTETLER LLP
600 Anton Boulevard, Suite 900
Costa Mesa, CA 92626
Telephone: 714.754.6600
Facsimile: 714.754.6611

Casie D. Collignon (*Admitted Pro Hac Vice*)
ccollignon@bakerlaw.com
Michelle R. Gomez (*Admitted Pro Hac Vice*)
mgomez@bakerlaw.com
BAKER & HOSTETLER LLP
1801 California Street, Suite 4400
Denver, CO 80202-2662
Telephone: 303.861.0600
Facsimile: 303.861.7805

Attorneys for Defendant
Forty Niners Football Company LLC dba
The San Francisco 49ers

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE SAN FRANCISCO 49ERS
DATA BREACH LITIGATION

Case No.: 3:22-cv-05138-JD

[Hon. James Donato]

JOINT STATUS REPORT

Action Filed: September 9, 2022

Plaintiffs Samantha Donelson and Katherine Finch together with Defendant Forty Niners Football Company LLC dba The San Francisco 49ers (“the 49ers” and collectively with Plaintiffs, the “Parties”), hereby file this joint statement following the hearing on Defendant’s Motion to Dismiss Plaintiffs’ Complaint:

1. On March 7, 2024, the Parties appeared for the hearing on Defendant’s Motion to Dismiss Plaintiffs’ Complaint during which the Parties discussed with the

1 Court the possibility of resolving the action through settlement discussions.

2 2. In light of the potential for settlement, the Court agreed to hold the ruling
3 on the Motion to Dismiss in abeyance for thirty (30) days to allow time for the parties
4 to renew settlement discussions. ECF No. 54.

5 3. The Parties met and conferred and, on April 5, 2024, the Parties filed a
6 Joint Status Report requesting additional time to continue settlement discussions.
7 ECF No. 55.

8 4. The Parties have further met and conferred and have been unable to
9 agree on settlement terms. Accordingly, the Parties respectfully request that the
10 Court issue its ruling on Defendant's Motion to Dismiss Plaintiffs' Complaint.

11
12 Respectfully submitted this 22nd day of April, 2024.

13
14 DATED: April 22, 2024

BAKER & HOSTETLER LLP

15 By: /s/ Marcus McCutcheon

16 Marcus McCutcheon

17 Casie D. Collignon

18 Michelle R. Gomez

19 *Attorneys for Defendant*

20 Forty Niners Football Company LLC dba

21 The San Francisco 49ers

22 DATED: April 22, 2024

**MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN PLLC**

23 By: /s/ John J. Nelson

24 John J. Nelson

25 *Attorneys for Plaintiffs and the*
26 *Proposed Class*
27
28

ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I, Marcus McCutcheon, hereby certify that I have obtained the concurrence in the filing of this document from all signatories listed above. I further attest that I have on file records to support this concurrence for subsequent production to the Court if so ordered of for inspection upon request.

Dated: April 22, 2024

/s/Marcus McCutcheon